

**Notice of Allowability**

Application No.

10/060,526

Examiner

Shelly A Chase

Applicant(s)

WONG ET AL.

Art Unit

2133

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 9-1-2004.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 01 September 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____  |

**DETAILED ACTION**

1. Claims 1 to 19 are presented for examination. The amendment filed 9-1-2004 add new claim 20.

***Response to Amendment***

2. Claims 1, 2, 6, 7 and 19 rejected under 35 U.S.C. 102(b) as being anticipated by Itakura is withdrawn.
3. Claims 11, 12, 16 and 17 rejected under 35 U.S.C. 102(e) as being anticipated by Ulmer is withdrawn.
4. The rejection of claim 3 as being obvious over Itakura et al. in view of Gross et al. is withdrawn.

***Drawings***

5. Receipt is acknowledged of replacement sheets filed 9-1-2004.

***Response to Arguments***

6. Applicant's arguments, see pg. 8 to 11, filed 9-1-2004, with respect to claims 1 to 19 have been fully considered and are persuasive.

***Allowable Subject Matter***

7. Claims 1 to 20 are allowed.

8. The following is a statement of reasons for the indication of allowable subject matter: the instant invention is directed to a decoding method and decoding device comprising a state metric circuit computing state metric utilizing received branch metric and normalizing the computed state metric.

The prior art made of record teaches a decoding method and a decoding apparatus comprising: a state metric circuit computing a state metric and a normalization circuit normalizing the computed state metric; however the prior art made of record fails to teach or fairly suggest or render obvious a state metric circuit configured to compute the state metric and normalize the computed state metric.


Specifically the prior art made of record fails to teach or fairly suggest or render obvious a decoder or decoding method comprising: a state metric circuit configured to determine a next state metric signal to said state metric signals calculated from said intermediate signals and determine a normalization signal calculated from said intermediate signals as claimed in the independent claims.

***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shelly A Chase whose telephone number is 703-308-7246. The examiner can normally be reached on Mon-Thur from 8:00 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on 703-305-9595. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Shelly A Chase